

APPEAL NO. 032563  
FILED NOVEMBER 10, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on September 4, 2003. With respect to the single issue before him, the hearing officer determined that the respondent (claimant) had disability from May 1, 2003, through the date of the hearing, as a result of his compensable injury of \_\_\_\_\_. In its appeal, the appellant (self-insured) argues that the hearing officer's disability determination is against the great weight of the evidence. In his response to the self-insured's appeal, the claimant urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant had disability from May 1, 2003, through the date of the hearing. That issue presented a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer was persuaded that the claimant sustained his burden of proof on the disability issue. The factors emphasized by the carrier in challenging that determination on appeal are the same factors it emphasized at the hearing. The significance, if any, of those factors was a matter for the hearing officer in resolving the issue before him. Nothing in our review of the record reveals that the challenged determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse the disability determination on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986). This is so even though another fact finder could have drawn different inferences from the evidence and reached a different result. Salazar v. Hill, 551 S.W.2d 518 (Tex. Civ. App.-Corpus Christi 1977, writ ref'd n.r.e.).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**SUPERINTENDENT  
(ADDRESS)  
(CITY), TEXAS (ZIP CODE).**

---

Elaine M. Chaney  
Appeals Judge

CONCUR:

---

Gary L. Kilgore  
Appeals Judge

---

Thomas A. Knapp  
Appeals Judge